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APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,460	01/	11/2000	Darren J. Daugherty	11401/3003	5667
31782	7590	08/26/2003			
CHAUZA &		EY, L.L.P.	EXAMINER		
PO BOX 1400 IRVING, TX				NGUYEN, D	UC MINH
				ART UNIT	PAPER NUMBER
				2643	11
				DATE MAILED: 08/26/2003	()

Please find below and/or attached an Office communication concerning this application or proceeding.

3

		Application No.	Applicant(s)	-				
	•	09/481,460	DAUGHERTY ET AL.	7/				
	Office Action Summary	Examiner	Art Unit					
		Duc Nguyen	2643					
Period fo	The MAILING DATE of this communication a		th the correspondence address					
THE - External afternal afte	ORTENED STATUTORY PERIOD FOR REP MAILING DATE OF THIS COMMUNICATION nsions of time may be available under the provisions of 37 CFR 18 SIX (6) MONTHS from the mailing date of this communication. Period for reply specified above is less than thirty (30) days, a reperiod for reply is specified above, the maximum statutory perior to reply within the set or extended period for reply will, by state eply received by the Office later than three months after the mailed patent term adjustment. See 37 CFR 1.704(b).	1.136(a). In no event, however, may a resply within the statutory minimum of thirty d will apply and will expire SIX (6) MON to, cause the application to become AB	eply be timely filed (30) days will be considered timely. FHS from the mailing date of this communication ANDONED (35 U.S.C. § 133).	cation.				
1)	Responsive to communication(s) filed on							
2a)☐	,—	This action is non-final.						
3) Dispositi	Since this application is in condition for allow closed in accordance with the practice undefined of Claims			rits is				
4)🖂	Claim(s) 1-28 is/are pending in the application	on.						
	4a) Of the above claim(s) is/are withdr	awn from consideration.						
5)⊠	Claim(s) 13-28 is/are allowed.							
6)⊠	⊠ Claim(s) <u>1-3,6,7,9,11 and 12</u> is/are rejected.							
7)🖂	Claim(s) 4,5,8 and 10 is/are objected to.							
8) 🗌	Claim(s) are subject to restriction and	or election requirement.						
Applicati	on Papers							
9) 🗆 🤄	The specification is objected to by the Examir	ner.						
10) 🗌	The drawing(s) filed on is/are: a)□ acc	epted or b) objected to by the	ne Examiner.					
	Applicant may not request that any objection to	the drawing(s) be held in abeya	nce. See 37 CFR 1.85(a).					
11) 🗌	The proposed drawing correction filed on	is: a)□ approved b)□ di	sapproved by the Examiner.					
_	If approved, corrected drawings are required in	• •						
12) 🗌	The oath or declaration is objected to by the E	Examiner.						
Priority ι	ınder 35 U.S.C. §§ 119 and 120							
13)	Acknowledgment is made of a claim for forei	gn priority under 35 U.S.C. §	119(a)-(d) or (f).					
a)[☐ All b)☐ Some * c)☐ None of:							
	1. Certified copies of the priority docume	nts have been received.						
	2. Certified copies of the priority docume	nts have been received in Ap	oplication No					
* 5	3. Copies of the certified copies of the pri application from the International E see the attached detailed Office action for a list	Bureau (PCT Rule 17.2(a)).	_)				
	cknowledgment is made of a claim for domes	•		cation)				
a) ☐ The translation of the foreign language p Acknowledgment is made of a claim for dome	rovisional application has be	en received.	outiony.				
Attachment		, , ,	~~					
2) Notic 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Ir	Summary (PTO-413) Paper No(s) nformal Patent Application (PTO-152)					
U.S. Patent and Ti PTOL-326 (R		Action Summary	Part of Paper	No. 11				

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-3, 6-7, 9, 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Rust et al (4,876,621).

Consider claims 1, 9. Rust teaches a telephone line protection module comprising a tip, ring and ground conductors (13, 14 and 28, fig. 1; 39-40, 43-44 and 48, fig. 3; 42 or 47; fig. 4); a spring member (81-82) adapted for movement into contact with at least one of the tip or ring conductors (without the overvoltage sensitive device 83, the spring member 81 or 82 which includes the conductive member 86 or 87 would be in contact with member 42 or 47); a conductive member (86a-b or 87a-b); an overvoltage sensitive device (83) positioned between the conductive member (86a-b or 87a-b) and one of the tip conductor or ring conductor (42, 47, fig. 4), such that the overvoltage sensitive device is in electrical contact with the conductive member and one of the tip or ring conductors (col. 3, ln. 59 to col. 5, ln. 6).

Consider claims 2-3. Rust further teaches the spring member is electrically connected to the ground conductor (48) due to an overvoltage (col. 3, ln. 25-46).

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Consider claim 6. Fig. 4 shows two overvoltage sensitive devices (83), each is

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sandwiched between (42, 81 and 47, 82).

Consider claims 7, 11. Col. 3, ln. 44-46 reads on the limitations of these claims.

Consider claims 12. Figs. 1, 3-4 read on the limitations of this claim.

Allowable Subject Matter

3. Claims 4-5, 8, 10 are objected to as being dependent upon a rejected base claim, but

would be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

4. Claims 13-28 are allowed over the prior art of record.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Duc Nguyen whose telephone number is (703) 308-7527.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Mr. Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

(703) 872-9314 (Group's Fax numbers) (703) 746-7251 (Examiner's Fax number, only for proposed amendment)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

August 22, 2003

DUC NGUYEN
PRIMARY EXAMINER